UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,256	08/15/2003	Wei Yuan	P1028 (16221RRUS02)	1538

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EXAMINER
TOLENTINO, RODERICK

ART UNIT	PAPER NUMBER
2439	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _06/22/2010_.

2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _15 August 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to BPAI Decision dated 6/22/10, examiner was reversed.

Claims 1 – 20 are pending.

Examiner is issuing a non-final and re-opening prosecution.

The previously used primary reference Trossen was reversed by the Board of
Appeals for failing to disclose a firewall located between the communication
device and the trusted entity (see BPAI decision page 5). Examiner agrees and a
new rejection with a new primary reference (Rodgers, US 2002/0026478) is
explained below. However, it should be noted that examiner is only using
Trossen to show the specific communications of the firewall that is related to the
pinhole ability but not the specific location of the firewall with respect to the
network/s.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically teach or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the
> prior art are such that the subject matter as a whole would have been obvious at the time the invention
> was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1 – 13 and 15 – 18 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Rodgers et al. U.S. PG-Publication No. (2002/0026478) in view
Trossen et al. U.S. PG-Publication No. (2003/0212764).

As per claims1, 8 and 15, Rodgers a packet based communication network for

communication (see abstract), further teaching a trusted entity linked to the firewall by

a communication link, said link allowing information packets to be sent to a first

communication through the firewall to the communication device (Rodgers, Paragraph

0107 and 109, a computer outside the firewall in communication with a computer inside

the trusted network will be considered as trusted, see figures 1 and 3-- "e.g., this can

be implemented on the server 130 in FIG. 1, that is outside of the firewall and is

referred of as a reflector. As part of the initialization routine for the computer within the

firewall when it is started up, the corresponding linker application 112, 113").

Although Rodgers discloses communicating through the firewall where the trusted

entity is located outside of the firewall, Rodgers fails to specifically disclose the

specifics of the packet communications.

However, in the same field of endeavor, Trossen teaches a firewall on the

communication network gateway for securing communications to and from the network

(Trossen, Paragraph 0024), a communication device on the communication network

connected to the firewall by a communication link (Trossen, Paragraph 0007, mobile

node) and said trusted entity replacing an address designation in the address header

of one of said information packets with an address designation for the first

communication pinhole so the information packet can be transmitted through said

pinhole to said communication device (Trossen, Paragraph 0024, pinhole is created in

the firewall with use of IP-Level Handoff).

Therefore, at the time the invention was made, it would have been obvious to person of ordinary skill in the art to use Trossen's relocation of content sources during IP-level handoffs with Rodger's apparatus for forming linked multi-user groups of shared software applications because it offers the advantage of improving the communication for multi-user applications where the communication is less cumbersome and further allow network specific network layer-level handoffs to occur smoothly and avoid loss of new content.

3.   As per claim 2, Rodgers as modified by Trossen teaches the first communication pinhole is established using signaling messages transmitted through the firewall (Trossen, Paragraph 0024, Signaling protocols).

4.   As per claim 3, Rodgers as modified by Trossen teaches the signaling messages include a create pinhole message (Trossen, Paragraph 0024).

5.   As per claim 4, Rodgers as modified by Trossen teaches the signaling messages include a create pinhole acknowledge message (Trossen, Paragraph 0024, confirmation messages).

        As per claim 5, Rodgers as modified by Trossen teaches the trusted entity is a media proxy router (Trossen, Paragraph 0024, New access router).

6.   As per claim 6, Rodgers as modified by Trossen teaches the trusted entity includes a component with a software functional switch (Trossen, Paragraph 0024, New access router).

7.   As per claim 7, Rodgers as modified by Trossen teaches the communication

network includes an application server on the communication link between the firewall

and the communication device (Trossen, Paragraph 0007, Content sources).

8.   As per claim 9, Rodgers as modified by Trossen teaches creating a

communication port address routing table association on the trusted entity for

designated pinhole ports in the firewall using address data from the create pinhole

request (Trossen, Paragraph 0008, IP-Level Handoff).

9.   As per claims 10 and 11, Rodgers as modified by Trossen teaches transmitting

said create pinhole request from the end-terminal to the trusted entity (Trossen,

Paragraph 0024, RSVP protocol), and receiving a create media pinhole

acknowledgement at the end-terminal containing the communication port address

(Trossen, Paragraph 0024, Confirmation message).

10.   As per claim 12, Rodgers as modified by Trossen teaches the application server

is a session initiation protocol proxy server (Trossen, Paragraph 0017, SIP protocol

usage).

11.   As per claim 13, Rodgers as modified by Trossen teaches the application server

is an integrated access device (Trossen, Paragraph 0007, Content sources are

integrated access devices along with mobile terminals).

12.   As per claim 16, Rodgers as modified by Trossen teaches transmitting a second

signal from the output of the trusted entity containing the address designation of the

communication port, wherein said second signal acknowledges receipt of the first signal

(Trossen, Paragraph 0024, Signaling protocols).

13.   As per claim 17, Rodgers as modified by Trossen teaches receiving the second

signal at the communication device (Trossen, Paragraph 0024, Signaling protocols).

14.   As per claim 18, Rodgers as modified by Trossen teaches receiving the second

signal at a server on the communication network (Trossen, Paragraph 0025, message

to content source).

15.   Claims 14, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

Rodgers over Trossen in view of Wu et al. U.S. PG-Publication No. (2003/0212809).

16.   As per claim 14, Rodgers as modified by Trossen fails to teach the application

server is an application proxy server. However, in an analogous art Wu teaches the

application server is an application proxy server (Wu, Paragraph 0038).

        At the time the invention was made it would have been obvious to use Wu's real

time streaming media communication system with Rodgers as modified by Trossen's

relocation of content sources during IP-level handoffs because it offers the advantage of

allowing clients to make indirect network connections to other network services.

17.   As per claim 19, Rodgers as modified by Trossen fails to teach the transmission

packet contains voice data. However, in an analogous art Wu teaches the transmission

packet contains voice data (Wu, Paragraph 0036, audio).

        At the time the invention was made it would have been obvious to use Wu's real

time streaming media communication system with Rodgers as modified by Trossen's

relocation of content sources during IP-level handoffs because it offers the advantage of

streaming data to remote end points (Wu, Paragraph 0031).

18.   As per claim 20, Rodgers as modified by Trossen fails to teach the transmission

packet is a real time transport protocol information packet. However, in an analogous

art Wu teaches the transmission packet is a real time transport protocol information

packet (Wu, Paragraph 0036, real-time stream).

At the time the invention was made it would have been obvious to use Wu's real

time streaming media communication system with Rodgers as modified by Trossen's

relocation of content sources during IP-level handoffs because it offers the advantage of

streaming data to remote end points (Wu, Paragraph 0031).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Roderick Tolentino whose telephone number is (571)

272-2661. The examiner can normally be reached on Monday - Friday 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edan Orgad can be reached on (571) 272-3811. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                                Roderick Tolentino
                                                Examiner
                                                Art Unit 2439

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